

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JAMES LOGAN,

Plaintiff,

vs.

UNION PACIFIC RAILROAD
COMPANY,

Defendant.

8:19CV70

ORDER

As requested in the plaintiff's unopposed motion, (Filing No. 14), which is hereby granted,

IT IS ORDERED that the final progression order is amended as follows:

- 1) The pretrial conference setting is vacated and will not be re-set at this time. A status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **June 15, 2021** at **9:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadline for completing written discovery under Rules 33, 34, 36 and 45 of the Federal Rules of Civil Procedure is May 26, 2021. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by June 9, 2021.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 3) The deadlines for complete expert disclosures¹ for all experts expected to

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff(s): January 25, 2021.

For the defendant(s): March 29, 2021.

- 4) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is May 26, 2021.
- 5) The deadline for filing motions to dismiss and motions for summary judgment is July 14, 2021.
- 6) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is July 14, 2021.
- 7) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 8) All other deadlines within the court's prior case progression order are unchanged.
- 9) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 19th day of July, 2020.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge